COPY OF PAPERS ORIGINALLY FILED

Patent

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

HIGH-SPEED PHASE FREQUENCY DETECTION MODULE the specification of which is attached hereto. was filed on (MM/DD/YYYY) January 17, 2002 United States Application Number 10/051,416 or PCT International Application Number _ and was amended on (MM/DD/YYYY) _ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that the claimed invention was in public use or on sale in the United States of America more than one year prior to this application, nor do I know or believe that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) | ! | | Priori <u>Claim</u> | - |
|---|---|---|---|----------------------|
| (Number) | (Country) | (Foreign Filing Date - MM/DD/YYYY) | Yes | No |
| (Number) | (Country) | (Foreign Filing Date - MM/DD/YYYY) | Yes | No |
| (Number) | (Country) | (Foreign Filing Date - MM/DD/YYYY) | Yes | No |
| I hereby claim the benefit uprovisional application(s) lis | | s Code, Section 119(e) of an | y United S | States |
| (Application Number) | (Filing Date – MM | I/DD/YYYY) | | |
| (Application Number) | (Filing Date – MM | M/DD/YYYY) | | |
| is not disclosed in the prior of Title 35, United States C known to me to be material | United States application ode, Section 112, I acknow to patentability as defined available between the filling. | matter of each of the claims in the manner provided by the wledge the duty to disclose a lin Title 37, Code of Federaling date of the prior application | e first par Il informat Regulatio | agraph ion ns, |
| (Application Number) | (Filing Date - MM/DD/ | | d, , abandor | ned) |
| (Application Number) | (Filing Date - MM/DD/ | | d, , abandor | ned) |
| part of this document) as m | ny respective patent attorn , to prosecute this applicat | reto (which is incorporated b eys and patent agents, with f ion and to transact all busine | ull power | of |
| Send correspondence to | Tarek N. Fahmi (Name of Attorney or Ag | BLAKELY, SOKO | LOFF, TA | YLOR & |
| telephone calls to Tare | hire Boulevard 7th Floor | r, Los Angeles, California 9 , (408) 720-8300. | 0025 and | direct |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full Name of Second/Joint Inventor Jonathon Chean | |
|--|---|
| Inventor's Signature | Date |
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| | |
| Full Name of Second/Joint Inventor Christopher Yong | |
| Inventor's Signature | Date |
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| Full Name of Third/Joint Inventor Minjie Wu- Inventor's Signature August | Date April 19th, Jes, Jes, Jes, Jes, Jes, Jes, Jes, Jes |
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| Full Name of Fourth/Joint Inventor | |
| Inventor's Signature | Date |
| Residence(City, State) | Citizenship(Country) |
| Post Office Address | |

| Full Name of Fifth/Joint In | ventor | | |
|-----------------------------|---------------|-------------|---|
| Inventor's Signature | | Date | |
| Residence | (City, State) | Citizenship | (Country) |
| Post Office Address | | | |
| Full Name of Sixth/Joint Ir | nventor | | |
| Inventor's Signature | | Date | |
| Residence | (City, State) | Citizenship | (Country) |
| Post Office Address | | | |
| Full Name of Seventh/Joi | nt Inventor | | 4-14-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1- |
| Inventor's Signature | | Date | |
| | (City, State) | Citizenship | (Country) |
| Post Office Address | | | |

APPENDIX A

Ramin Aghevli, Reg. No. 43,462; William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. 42,261; William Thomas Babbitt, Reg. No. 39,591; Jordan Michael Becker, Reg. No. 39,602; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 46,149; Gregory D. Caldwell, Reg. No. 39,926; Jae-Hee Choi, Reg No. 45,288; Thomas M. Coester, Reg. No. 39,637; Robert P. Cogan, Reg. No. 25,049; Donna Jo Coningsby, Reg. No. 41,684; Florin Corie, Reg. No. 46,244; Mimi Diemmy Dao, Reg. No. 45,628; Dennis M. deGuzman, Reg. No. 41,702; Stephen M. De Klerk, Reg. No. 46,503; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Justin M. Dillon, Reg. No. 42,486; Sanjeet Dutta, Reg. No. 46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; Thomas S. Ferrill, Reg. No. 42,532; George Fountain, Reg. No. 37,374; Andre Gibbs, Reg. No. 47,593; James Y. Go, Reg. No. 40,621; Melissa A. Haapala, Reg No. 47,622; Alan Heimlich, Reg. No. 48,808; James A. Henry, Reg. No. 41,064; Libby H. Ho, Reg. No. 46,774; Willmore F. Holbrow III, Reg. No. 41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Walter T. Kim, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; Steve Laut, Reg. No. 47,736; George Brian Leavell, Reg. No. 45,436; Samuel S. Lee, Reg. No. 42791; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Julio Loza, Reg. No. 47,758; Joseph Lutz, Reg. No. 43,765; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, Reg. No. 48,095; Paul A. Mendonsa, Reg. No. 42,879; Clive D. Menezes, Reg. No. 45,493; Richard A. Nakashima, Reg. No. 42,023; Stephen Neal Reg. No. 47,815; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Robert B. O'Rourke, Reg. No. 46,972; Daniel E. Ovanezian, Reg. No. 41,236; Gregg A. Peacock, Reg. No. 45,001; Marina Portnova, Reg. No. 45,750; Michael A. Proksch, Reg. No. 43,021; Randol W. Read, Reg. No. 43,876; William F. Ryann, Reg. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey S. Schubert, Reg. No. 43,098; Saina Shamilov, Reg. No. 48,266; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Ronald S. Tamura, Reg. No. 43,179; Edwin H. Taylor, Reg. No. 25,129; Lance A. Termes, Reg. No. 43,184; John F. Travis, Reg. No. 43,203; Kerry P. Tweet, Reg. No. 45,959; Mark C. Van Ness, Reg. No. 39,865; Tom Van Zandt, Reg. No. 43,219; Brent Vecchia, Reg No. 48,011; Lester J. Vincent, Reg. No. 31,460; Archana B. Vittal, Reg. No. 45,182; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. 46,322; Thomas C. Webster, Reg. No. 46,154; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Charles P. Landrum, Reg. No. 46,855; Suk S. Lee, Reg. No. 47,745; and Raul Martinez, Reg. No. 46,904, Brent E. Vecchia, Reg. No. 48,011; Lehua Wang, Reg. No. P48,023; my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and James R. Thein, Reg. No. 31,710, my patent attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

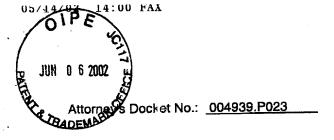
APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined. the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



Patent

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

| As a below na | med inventor, I hereby declare that: | |
|---------------------------------|---|---|
| My residence, | post office address and citizenship are as stated below, next to m | y name. |
| first, and joint for which a pa | the original, first, and sole inventor (if only one name is listed below ir ventor (if plural names are listed below) of the subject matter whaten is sought on the invention entitled Dephase frequency detection module | w) or an original, lich is claimed and |
| the specificati | on of which | |
| X | is attached hereto. was filed on (MM/DD/YYYY) <u>January 17, 2002</u> United States Application Number <u>10/051,416</u> or PCT International Application Number and was amended on (MM/DD/YYYY) | as |

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that the claimed invention was in public use or on sale in the United States of America more trian one year prior to this application, nor do I know or believe that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

(if applicable)

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| Prior Foreign Application(s | 1 | | Prior <u>Clai</u> r | |
|---|---|--|--|--|
| (Number) | (Country) | (Foreign Filing MM/DD/YYY | | No |
| (Number) | (Country) | (Foreign Filing MM/DD/YYY | | No |
| (Number) | (Country) | (Foreign Filing I | | No |
| I hereby claim the benefit uprovisional application(s) lis | sted below: | | 9(e) of any United | States |
| (Application Number) | (Filing Date – | MM/DD/YYYY) | | |
| (Application Number) | (Filing Date – | MM/DD/YYYY) | | |
| I hereby claim the benefit upplication(s) listed below a is not disclosed in the prior of Title 35, United States C known to me to be material Section 1.56 which became or PCT international filing discounts. | and, insofar as the sub United States applicat ode, Section 112, I acl I to patentability as defi e available between the | ject matter of each of t ion in the manner prov knowledge the duty to d ined in Title 37, Code of | he claims of this a ided by the first pa disclose all informa of Federal Regulati | pplication ragraph ition ons, |
| (Application Number) | (Filing Date MM/I | DD/YYYY) (Status - | - patented, pending, abando | ned) |
| (Application Number) | (Filing Date – MM/ | DD/YYYY) (Status - | - patented, pending, abando | ned) |
| I hereby appoint the person part of this document) as m substitution and revocation and Trademark Office conf | ny respective patent att , to prosecute this appl | ornevs and patent age | nts, with full power | of |
| Send correspondence to | Tarek N. Fahmi | , BLAKEL | Y, SOKOLOFF, TA | YLOR & |
| | (Name of Attorney or | · Agent) | | |
| ZAFMAN LLP, 12400 Wils telephone calls to <u>Tare</u> (Nan | nire Boulevard 7th Fl e <mark>k N. Fahmi</mark> | oor, Los Angeles, Ca , (408) 720-8300 | lifornia 90025 and | i direct |
| (Nan | ne of Attorney or Age | nt) | | |

i hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Second/Joint Inventor Jonathon Cheah

| | | | |
|---------------------------|--|------------------------|-----------------------------------|
| Inventor's Signature | | Date <u></u> | 10/02 |
| Residence <u>San Dieg</u> | o, California (City, State) | Citizenship <u>USA</u> | (Country) |
| Post Office Address | 10676 Gracewood Pl. San Diego, California 92130 | | |
| Full Name of Second | d/Joint Inventor <u>Christopher Yong</u> | | |
| Inventor's Signature | - Autobeton | Date | 5/14/02 |
| Residence San Diec | go, California (City, State) | Citizenship Malays | ia (Country) |
| Post Office Address | 7427 Canyon Peak Lane San Diego, California 92126 | | |
| Full Name of Third/J | oint Inventor Minjie Wu | | |
| Inventor's Signature | | Date | |
| Residence Singapor | (City, State) | Citizenship People | 's Republic of China (Country) |
| Post Office Address | BLK752 Woodlands Circle, #11-534 Singapore 730752 | | |
| Full Name of Fourth | Joint Inventor | | |
| Inventor's Signature | | Date | |
| Residence | (City, State) | Citizenship | (Country) |
| Post Office Address | | | |
| | | | |

| ull Name of Fifth/Joint Inventor | |
|------------------------------------|----------------------|
| ventor's Signature | |
| esidence(City, State) | Citizenship(Country) |
| (City, State) | (Country) |
| | |
| uli Name of Sixth/Joint Inventor | |
| ventor's Signature | Date |
| esidence(City, State) | Citizenship |
| (City, State) | (Country) |
| ost Office Address | |
| ull Name of Seventh/Joint Inventor | |
| ventor's Signature | Date |
| esidence | |
| esidence(City, State) | (Country) |
| ost Office Address | • |
| | |

APPENDIX A

Ramin Aghevli, Reg. No. 43,462; William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. 42,261; William Thoma; Babbitt, Reg. No. 39,591; Jordan Michael Becker, Reg. No. 39,602; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 46,149; Gregory D. Calitwell, Reg. No. 39,926; Jae-Hee Choi, Reg No. 45,288; Thomas M. Coester, Reg. No. 39,637; Robert P. Cogan, Reg. No. 25,049; Donna Jo Coningsby, Reg. No. 41,684; Florin Corie, Reg. No. 46,244; Mimi Diemmy Dao, Reg. No. 45,628; Dennis M. deGuzman, Reg. No. 41,702; Stephen M. De Klerk, Reg. No. 46,503; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Justin M. Dillon, Reg. No. 42,486; Sanjeet Dutta, Reg. No. 46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; Thomas S. Ferrill, Reg. No. 42,532; George Fountain, Reg. No. 37,374; Andre Gibbs, Reg. No. 47,593; James Y. Go, Reg. No. 40,621; Melissa A. Haapala, Reg No. 47,622; Alan Heimlich, Reg. No. 48,808; James A. Henry, Reg. No. 41,064; Libby H. Ho, Reg. No. 46,774; Willmore F. Ho brow III, Reg. No. 41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Walter T. Kim, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; Steve Laut, Reg. No. 47,736; George Brian Leavell, Reg. No. 45,436; Samuel S. Lee, Reg. No. 42791; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Julio Loza, Reg. No. 47,758; Joseph Lutz, Reg. No. 43,765; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, Reg. No. 48,095; Paul A. Mendonsa, Reg. No. 42,879; Clive D. Menezes, Reg. No. 45,493; Richard A. Nakashima, Reg. No. 42,023; Stephen Neal Reg. No. 47,815; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Robert B. O'Rourke, No. 46,073; Pariel E. Overgring Reg. No. 41,236; Grang A. Rospeck, Reg. No. 45,001; Marina Reg. No. 46,972; Daniel E. Ovanezian, Reg. No. 41,236; Gregg A. Peacock, Reg. No. 45,001; Marina Portnova, Reg. No. 45,750; Michael A. Proksch, Reg. No. 43,021; Randol W. Read, Reg. No. 43,876; William F. Ryarın, Reg. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey S. Schubert, Reg. No. 43,098; Saina Shamilov, Reg. No. 48,266; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Ronald S. Tamura, Reg. No. 43,179; Edwin H. Taylor, Reg. No. 25,129; Lance A. Termes, Reg. No. 43,184; John F. Travis, Reg. No. 43,203; Kerry P. Tweet, Reg. No. 45,959; Mark C. Van Ness, Reg. No. 39,865; Tom Van Zandt, Reg. No. 43,219; Brent Vecchia, Reg No. 48,011; Lester J. Vincent, Reg. No. 31,460; Archana B. Vittal, Reg. No. 45,182; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. 46,322; Thomas C. Webster, Reg. No. 46,154; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Charles P. Landrum, Reg. No. 46,855; Suk S. Lee, Reg. No. 47,745; and Raul Martinez, Reg. No. 46,904, Brent E. Vecchia, Reg. No. 48,011; Lehua Wang, Reg. No. P48,023; my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and James R. Thein, Reg. No. 31,710, my patent attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56

<u>Duty to Disclose Information Material to Patentability</u>

- (a) A patent by its very nature is affected with a public interest. The public Interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration ne ad not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
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- .(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
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- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all ir formation known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.